

MESSAGE NO: 2053304

MESSAGE DATE: 02/22/2012

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-560-824

EFFECTIVE DATE: 11/17/2010

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Out-of-scope preliminary determination – countervailing duty order on certain coated paper suitable for high-quality print graphics using sheet-fed presses from Indonesia (C-560-824).

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM GOLD EAST PAPER (JIANGSU) CO. LTD. (INCLUDING ITS SUBSIDIARIES NINGBO ZHONGHUA PAPER CO., LTD. AND NINGBO ASIA PULP AND PAPER CO., LTD.), GLOBAL PAPER SOLUTIONS, INC., PINDO DELI PULP AND PAPER MILLS, PT. INDAH KIAT PULP & PAPER TBK, AND PAPER MAX, LTD. (COLLECTIVELY “APP”). COMMERCE ISSUED A PRELIMINARY SCOPE DETERMINATION ON 02/02/2012 THAT APP’S ZENITH PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 215 GRAMS PER SQUARE METER (“GSM”)) AND APP’S SINAR VANDA PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 210 GSM) WHICH APP EXPORTS ARE NOT WITHIN THE SCOPE OF THE COUNTERVAILING DUTY ORDER ON CERTAIN COATED PAPER SUITABLE FOR HIGH-QUALITY PRINT GRAPHICS USING SHEET-FED PRESSES (“CERTAIN COATED PAPER”) FROM INDONESIA (C-560-824).

2. COMMERCE PRELIMINARILY FOUND THAT PAPER THAT OTHERWISE MEETS THE PHYSICAL CHARACTERISTICS DESCRIBED IN THE SCOPE AND HAS A THICKNESS OF 310 M OR MORE AND A DENSITY OF .70 G/CM³ OR LESS IS NOT SUITABLE FOR HIGH-QUALITY PRINT GRAPHICS AND, HENCE, IS NOT COVERED BY THE COATED PAPER ORDERS. COMMERCE PRELIMINARILY DETERMINED THAT APP’S ZENITH PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 215 GSM) AND APP’S SINAR VANDA PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 210 GSM) ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE THESE PACKAGING PAPERBOARDS HAVE THICKNESS AND DENSITY PARAMETERS THAT MEET THE AFOREMENTIONED CRITERIA.

3. IN ACCORDANCE WITH 19 CFR 351.225(L)(2), EFFECTIVE 11/17/2010, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION OF APP’S ZENITH PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 215 GSM) AND APP’S SINAR VANDA

PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 210 GSM) DESCRIBED IN PARAGRAPH 2.

4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO APP'S ZENITH PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 215 GSM) AND APP'S SINAR VANDA PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 210 GSM) DESCRIBED IN PARAGRAPH 2.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF APP'S ZENITH PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 215 GSM) AND APP'S SINAR VANDA PACKAGING PAPERBOARD (EXCEPT WITH A BASIS WEIGHT OF 210 GSM) FROM INDONESIA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/17/2010.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED COUNTERVAILING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN COATED PAPER FROM INDONESIA NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR MERCHANDISE SUBJECT TO THE COUNTERVAILING DUTY ORDER AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O1:MK).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party